

Exhibit J

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

IN RE: OIL SPILL) MDL NO. 2179
BY THE OIL RIG)
"DEEPWATER HORIZON" IN) SECTION "J"
THE GULF OF MEXICO, ON)
APRIL 20, 2010) JUDGE BARBIER
) MAG. JUDGE SHUSHAN

VOLUME 1

Deposition of ANDREW GEORGE
INGLIS, taken at Kirkland & Ellis
International, 30 St. Mary Axe, 22nd Floor,
London EC3A 8AF, England, United Kingdom, on
the 21st day of July, 2011.

1 by late changes to well design and
2 procedures.

3 Do you agree with that?

4 A. Again, on the basis of what I
12:14 5 read in the -- in the -- in the Bly Report,
6 one of the recommendations was around the
7 management of change process.

8 Q. All right. And so based on what
9 you read in the Bly Report, you agree with
12:14 10 that, correct?

11 A. Within that context.

12 Q. All right. And then going on,
13 quote, BP did not have adequate controls in
14 place to ensure that key decisions in the
12:14 15 months leading up to the blowout were safe or
16 sound from an engineering perspective.

17 Do you -- do you agree with
18 that?

19 A. No, not quite.

12:14 20 Q. And -- and what about it don't
21 you agree?

22 A. Is that BP had a -- an OMS in
23 place which sets out the processes and
24 procedures that we followed. It had a local
12:15 25 OMS which covered the -- the drilling

1 practices. Within that there is a -- a DWOPs
2 and beyond the -- the best procedures. So
3 there were procedures and processes in place.

4 Q. Is it your testimony,
12:15 5 Mr. Inglis, that OMS applied to the Deepwater
6 Horizon drilling operation at Macondo?

7 A. OMS did apply, yes.

8 Q. I'm sorry?

9 A. Yes, it did apply.

12:15 10 Q. All right. If there has been
11 testimony from other witnesses that OMS did
12 not apply to this operation, you would
13 disagree with that?

14 A. I would disagree with that.

12:15 15 Q. And if, however, the other
16 testimony that OMS did not apply to this
17 drilling operation, would you agree that it
18 should have?

19 MR. NEAL: Object to the -- object to
12:16 20 the form of that question.

21 A. Yeah, my belief is that OMS
22 applies. There was an OMS at the group
23 level. There was a local OMS. The local OMS
24 had been implemented for -- for the drilling
12:16 25 operations in the deepwater Gulf of Mexico,

1 and, therefore, under that local OMS it
2 applied.

3 Q. (BY MR. DEGRAVELLES) Again, my
4 question is a different one because there's
12:16 5 been varying testimony on this point.

6 A. Uh-huh.

7 Q. Is it -- if -- if OMS was not
8 applicable -- I say "not applicable." If OMS
9 was not applied to this drilling operation,
12:16 10 shouldn't it have been?

11 A. Again, you know, I've given you
12 the answer to the question is, it is my
13 belief that the OMS was implemented in the
14 Gulf of Mexico for drilling. There was a
12:16 15 drilling LOMS that had been signed off and
16 approved in the back end of -- of 2009 -- and
17 then -- and the -- the scope of that LOMS
18 covered all drilling in the Gulf of Mexico.

19 Q. Okay. I'm asking you a
12:17 20 hypothetical question.

21 A. And I've given you a -- what I
22 believe is -- is an actual direct answer.

23 Q. No, I'm asking you to assume
24 hypothetically that your testimony and your
12:17 25 belief is incorrect and that, in fact, OMS

1 was not applied to this operation. If that
2 turns out to be true, would you agree with me
3 that in your opinion -- opinion, OMS should
4 have applied to this drilling operation?

12:17 5 MR. GODFREY: Objection to form.

6 MR. NEAL: Objection; form.

7 Q. (BY MR. DEGRAVELLES) Do you
8 understand my question?

9 A. I do. I do understand it. I'd
12:17 10 have to in a -- I have to understand the
11 circumstances of why it wasn't being applied.
12 My belief deeply is that it had -- that --
13 that the OMS -- the group level existed, the
14 OMS -- the Gulf of Mexico existed, that there
12:17 15 was a local OMS covering the drilling and
16 completions activity, that had been signed
17 off, then implemented at the back end of
18 2009, and, therefore, it was applicable.

19 Q. Okay. And there's no reason
12:18 20 that you know of that OMS should not have
21 applied to this deep -- this Deepwater
22 Horizon drilling?

23 A. There wasn't any, any reason,
24 no.

12:18 25 Q. Okay. And then the nat- --

1 we're back to the -- the National Commission
2 report, and I'm reading the next sentence:
3 While initial well design decisions undergo a
4 serious peer-review process -- process and
12:18 5 changes to well design are subsequently
6 subject to a management of change (MOC)
7 process, changes to drilling procedures in
8 the weeks and days before the implementation
9 are typically not subject to any such peer --
12:18 10 I'm sorry, peer-review or MOC process.

11 Do you agree with that?

12 A. That's not something that I've
13 actually seen the detail of, so I'm -- I
14 can't comment on that. I don't know
12:19 15 whether -- I do know there was -- the --
16 the -- the risks were identified as part of
17 documentation that the -- that I saw, which
18 is the FM that I signed.

19 But in terms of the detail of --
12:19 20 of what happened in terms of peer review
21 or -- or MOC, I haven't seen that.

22 Q. And then the final sentence --
23 not the final -- second-to-last sentence of
24 that paragraph, quote, At Macondo such
12:19 25 decisions appear to have been made by the

1 THE STATE OF LOUISIANA :
2 PARISH OF ORLEANS :

3 I, PHYLLIS WALTZ, a Certified Court Reporter,
4 Registered Professional Reporter, and
5 Certified Realtime Reporter in and for the
6 State of Louisiana, do hereby certify that
7 the facts as stated by me in the caption
8 hereto are true; that the above and foregoing
9 answers of the witness, ANDREW GEORGE INGLIS,
10 to the interrogatories as indicated were made
11 before me by the said witness after being
12 first duly sworn to testify the truth, and
13 same were reduced to typewriting under my
14 direction; that the above and foregoing
15 deposition as set forth in typewriting is a
16 full, true, and correct transcript of the
17 proceedings had at the time of taking of said
18 deposition.

19 I further certify that I am not, in any
20 capacity, a regular employee of the party in
21 whose behalf this deposition is taken, nor in
22 the regular employ of his attorney; and I
23 certify that I am not interested in the
24 cause, nor of kin or counsel to either of the
25 parties.

26 GIVEN UNDER MY HAND AND SEAL OF OFFICE, on
27 this, the 12th day of JULY, 2011.



Phyllis Waltz

PHYLLIS WALTZ, RPR, CRR
TEXAS CSR NO. 6813
Expiration Date: 12/31/11
LOUISIANA CCR NO. 2011010
Expiration Date: 12/31/11

Worldwide Court Reporters, Inc.
Firm Certification No. 223
3000 Wesleyan, Suite 235
Houston, Texas 77027
(713) 572-2000

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

IN RE: OIL SPILL) MDL NO. 2179
BY THE OIL RIG)
"DEEPWATER HORIZON" IN) SECTION "J"
THE GULF OF MEXICO, ON)
APRIL 20, 2010) JUDGE BARBIER
) MAG. JUDGE SHUSHAN

VOLUME 2

Deposition of ANDREW GEORGE
INGLIS, taken at Kirkland & Ellis
International, 30 St. Mary Axe, 22nd Floor,
London EC3A 8AF, England, United Kingdom, on
the 22nd day of July, 2011.

1 Q. It was marked as an exhibit this
2 way, so all I can tell you is it is what it
3 is.

4 A. I'll just look at it.

01:09 5 Q. Let me just ask you a question
6 before you go any further in the document,
7 just as a general matter.

8 A. Uh-huh.

9 Q. Did you have any discussions
01:09 10 with Ms. Yilmaz in 2008 regarding the need to
11 require a set of deliverables from rig
12 contractors to assure that they conform to
13 the integrity management standard of BP?

14 A. Just to be precise, say that
01:09 15 again.

16 Q. Did you have a discussion with
17 Ms. Yilmaz in 2008 as to whether you
18 needed -- BP needed to require a set of
19 deliverables that would provide assurances on
01:10 20 rig contractors' conformance to BP's IM
21 standards?

22 A. I can't remember having a
23 specific conversation around that, that
24 issue.

01:10 25 Q. Okay. Do you recall in 2009

PURSUANT TO CONFIDENTIALITY ORDER

1 ever having a specific conversation with her
2 about the need to have a set of deliverables
3 so that BP could ensure that its IM standards
4 were being implemented on contractors' rigs?

01:10 5 A. I can't -- I can't recall a
6 specific conversation around that. It would
7 have been through the implementation of -- of
8 OMS that you would actually do that. You
9 would take the -- as we've discussed over the
01:10 10 last two days, the segment level OMS, that
11 sets the expectations, the SPU level OMS,
12 then the local LOMS; and then within that
13 there would be the set of tools that would
14 apply.

01:11 15 Q. Okay.

16 A. So if there was a requirement
17 for bridging standard to the IM standard,
18 that would be outlined in that.

19 So I don't think, you know, say,
01:11 20 in that time frame of 2008 to 2009 it was
21 very much directing this at the
22 implementation of OMS.

23 Q. Let me ask you a question. If
24 you could just close that for a minute,
01:11 25 because I feel like it's distracting a

1 little. I'm not going to ask you about the
2 time.

3 A. You shouldn't have given it to
4 me, then.

01:11 5 Q. Apparently. I didn't realize it
6 was so fascinating.

7 Who -- if a bridging contract
8 says that the contractor's rig -- the
9 contractor's safety management system will
01:11 10 apply, but that BP will compare it to OMS and
11 fill any gaps as necessary, you understand
12 that?

13 A. Yeah, I don't think it's fill
14 any gaps as necessary. What you want to
01:11 15 do --

16 Q. Supplement?

17 A. No, what you want to do is make
18 sure there's conformance with it.

19 Q. And if there isn't conformance
01:12 20 with it, what do you do?

21 A. You would find a way of ensuring
22 that, you know, one system applies, which
23 would be in general the approach would be
24 that the contractor's safety management
01:12 25 system applies and then you would look to

1 make sure that it's bridged to the BP process
2 and if there are areas where there needs to
3 be a -- a supplementary approach applied, you
4 identify those.

01:12 5 Q. Okay. How does one go about --
6 how does BP go about identifying the
7 supplementary approach when it finds that
8 there are areas that need additional safety
9 management procedures on a contractor's rig?

01:12 10 A. Well, it would go through the
11 process. It would take the contractor's SMS,
12 compare it to the requirements for -- for
13 OMS, and it would look to create that
14 bridging document.

01:13 15 Q. All right, okay.

16 A. So there were expectations.

17 Q. Who was responsible for making
18 that comparison?

19 A. Yeah, that would be done in
01:13 20 the -- in the drilling -- in the -- in -- in
21 the drilling organization, under the BP
22 drilling and completions.

23 Q. Who was ultimately responsible
24 for making sure that that comparison was
01:13 25 made?

1 A. As I said, it would be in each
2 of the SPU's around the world it would be the
3 VP of drilling and operations, and then
4 underneath him there would be people who
01:13 5 would be accountable for the individual rigs.

6 Q. Okay. So the VP of drilling and
7 completions is responsible for ensuring that
8 this comparison that you just testified about
9 of --

01:13 10 A. Yeah, what I'm just -- let's go
11 back to --

12 Q. Well, can I finish my question?

13 A. I'm sorry.

14 Q. I just want to confirm that the
01:13 15 VP -- in the Gulf of Mexico for drilling and
16 completions the vice president for D&C is
17 respon- -- is ultimately responsible for
18 ensuring that the comparison of the safety
19 management systems is completed and that if
01:14 20 there are any supplementary procedures, that
21 those be filled in on the rig?

22 MR. NEAL: Object to the form.

23 MR. GODFREY: Object to form.

24 MR. NEAL: Go ahead.

01:14 25 A. The -- as we discussed, the

1 operating management system that BP had in
2 place is based around an OMS going to an SPU
3 OMS --

01:14 4 Q. (BY MS. HERTZ) I understand all
5 that.

6 MR. NEAL: Please don't interrupt.

7 A. Let me -- I would like to be
8 able to finish answering the question. Which
9 then goes to the local OMS. The D&C for --
01:14 10 for OMS, the person accountable for
11 operations and conformance -- and conformance
12 with the LOMS is the BP drilling and
13 completions.

14 Q. (BY MS. HERTZ) Okay. So the
01:15 15 person responsible for conformance of a
16 contractor's SMS --

17 A. No, what I said was the
18 person -- the individual that's accountable
19 for conformance with the LOMS is the --

01:15 20 Q. Right.

21 A. -- is the VP drilling and
22 completions.

23 Q. And is he also responsible for
24 the --

01:15 25 A. That's -- that's part -- as part

PURSUANT TO CONFIDENTIALITY ORDER

1 THE STATE OF LOUISIANA :
2 PARISH OF ORLEANS :

3 I, PHYLLIS WALTZ, a Certified Court Reporter,
4 Registered Professional Reporter, and
5 Certified Realtime Reporter in and for the
6 State of Louisiana, do hereby certify that
7 the facts as stated by me in the caption
8 hereto are true; that the above and foregoing
9 answers of the witness, ANDREW GEORGE INGLIS,
10 to the interrogatories as indicated were made
11 before me by the said witness after being
12 first duly sworn to testify the truth, and
13 same were reduced to typewriting under my
14 direction; that the above and foregoing
15 deposition as set forth in typewriting is a
16 full, true, and correct transcript of the
17 proceedings had at the time of taking of said
18 deposition.

19 I further certify that I am not, in any
20 capacity, a regular employee of the party in
21 whose behalf this deposition is taken, nor in
22 the regular employ of his attorney; and I
23 certify that I am not interested in the
24 cause, nor of kin or counsel to either of the
25 parties.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on
this, the 23RD day of JULY, 2011.

PHYLLIS WALTZ, RPR, CRR
TEXAS CSR NO. 6813
Expiration Date: 12/31/11
LOUISIANA CCR NO. 2011010
Expiration Date: 12/31/11

Worldwide Court Reporters, Inc.
Firm Certification No. 223
3000 Wesleyan, Suite 235
Houston, Texas 77027
(713) 572-2000